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Vanderbeek Motors, Inc., dba AutoWest
Mazda/Subaru dba Roseville BMW, and
AutoNation, Inc.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

RICHARD SIERACKE,
Plaintiff,

vs.

AUTOWEST MAZDA/SUBURU;
ROSEVILLE BMW;
AUTONATION, INC., and DOES
1 through 10 inclusive,

Defendants.

CASE NO. 2:04-cv-00347-MCE-GGH
HON. MORISSON C. ENGLAND, JR.

**REQUEST AND ORDER FOR
DEFENDANTS VANDERBEEK
MOTORS, INC., dba AUTOWEST
MAZDA/SUBARU dba ROSEVILLE
BMW, AND AUTONATION, INC.'S
TO APPEAR BY TELEPHONE AT
OSC HEARING**

Date: August 3, 2007

Time: 9:00 a.m.

Crtrm: 3

DATE OF FILING: February 19, 2004

TO THE HONORABLE COURT:

Defendants Vanderbeek Motors, Inc., dba AutoWest Mazda/Subaru dba Roseville BMW and AutoNation, Inc. ("Defendants") hereby request that they be permitted to have their legal counsel appear telephonically at the August 3, 2007, OSC hearing re Failure to Arbitrate.

Defendants' legal counsel resides and works in the Costa Mesa, California area, but will be available telephonically during the entire duration of the OSC hearing.

1 Otherwise, an attorney from Defendants' counsel's office would be required
2 to fly to Sacramento on Thursday evening and stay overnight in the Sacramento
3 area, in order to make an appearance at 9:00 a.m. on Friday morning. There are no
4 flights from Orange County to Sacramento which would ensure that an attorney
5 departing on Friday morning would be able to reach the courtroom until
6 approximately 10:00 a.m.

7 Defendants' counsel respectfully requests to appear telephonically on that
8 day. If given permission to appear telephonically, Defendants' counsel Brian Mills
9 will make himself available for the hearing and can be reached at (714) 427-7412.

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11 Dated: July __, 2007

SNELL & WILMER L.L.P.

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13 By: _____


Brian Mills

Attorneys for Defendants

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18 Good causing appearing therefore, Defendants Vanderbeek Motors, Inc., dba
19 AutoWest Mazda/Subaru dba Roseville BMW and AutoNation, Inc., are granted
20 permission to appear telephonically at the August 3, 2007, OSC hearing re Failure
21 to Arbitrate, at 9:00 a.m., in Courtroom3, in the above-entitled matter. The court is
22 to initiate the call.

23 **IT IS SO ORDERED.**

24 DATED:

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26 MORRISON C. ENGLAND, JR.
27 UNITED STATES DISTRICT JUDGE
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